

S P E E C H

OF

HON. JOHN C. TEN EYCK,
OF NEW JERSEY.

Delivered in the United States Senate, April 2, 1860.

The resolutions of Mr. DAVIS, of Mississippi, relative to State rights, the institution of slavery in the States, the right of citizens of the several States in the Territories of the United States, and the duty of the Federal Government to protect those rights; the power of the Territorial Legislatures over the subject of slavery, and the duty of the several States to observe and respect the fugitive slave law, &c., being under consideration—

Mr. TEN EYCK said:

Mr. PRESIDENT: So much has been said during the present session, in both houses of Congress, about the infidelity of several of the States of this Union to their constitutional duties and obligations, that I feel constrained to make a few remarks in reference to the State which I have the honor in part to represent. In doing so, however, I desire it to be distinctly understood, that I have no accusations, "railing" or otherwise, to bring, and no excuses or apologies to make, except, perhaps, for the too frequent allusions I may be called upon to make respecting my native State, during the course of these remarks.

Mr. President, the State of New Jersey has always been devoted to the Union—has always been true and loyal to the Constitution—the Constitution as understood by its framers and the statesmen of that day, including the earlier Presidents, and as subsequently interpreted and expounded by a Marshall and a Story, by a Webster and a Clay.

It was, sir, a suggestion of hers that led to the meeting of the Convention at Philadelphia, in 1787, which framed the Constitution.

When the State of Virginia, by her House of Delegates, recommended the meeting of a Con-

vention at Annapolis, in 1786, it was solely for the purpose of regulating that trade and commerce which, through the strifes, rivalries, and contentions, of the several States under the Confederation, had become well nigh ruined and destroyed.

When this Convention met, owing to the small number in attendance, there being commissioners from only five States present, viz: New York, New Jersey, Pennsylvania, Delaware, and Virginia, the Convention proceeded to the transaction of no business other than to prepare a report to the States sending them, and to Congress, in which they say: "The State of New Jersey had enlarged the object of their appointment, empowering their commissioners to consider how far an uniform system in their commercial regulations, *and other important matters, might be necessary to the common interest and permanent harmony* of the several States, and to report such an act on the subject as, when ratified by them, would enable the United States in Congress assembled *effectually to provide for the exigencies of the Union.*"

The report further states, that the "commissioners submit an opinion, that the idea of *extending the powers of their deputies to other objects than those of commerce*, which has been adopted by the State of New Jersey, *was an improvement on the original plan, and will deserve to be incorporated into that of a future Convention.*"

In consequence of this, and the recommendation of Congress thereon, the Convention met at Philadelphia in May, 1787, and, on the 17th of September following, that great work was accomplished. And yet I believe, sir, that

Virginia has received nearly if not all the credit of this. It has been with her as with the great Alfred; on account of her having done much, (and she has done much,) it has been usual to attribute everything to her. Why, sir, three years before this, New York, by a series of able resolutions in her State Legislature, had called public attention to the necessity of adopting a more efficient form of government than then existed. But, Mr. President, it is not my purpose to institute comparisons between the different States of this Union, much less to speak in terms of disparagement of any one of them. I regard the fame of each as constituting the glory of the whole; and any discredit cast upon one, sullies, to a certain extent, the common lustre of them all.

New Jersey, sir, was one of the three first States that adopted the Constitution after it was framed, Pennsylvania and Delaware only preceding her by a few days; and she did it in the Convention of her people called for that purpose, promptly, cordially, and unanimously, without a dissenting voice. She was the very first to ratify the amendments to that instrument; and, sir, she will be the last to abandon it. Should this wisest frame of government ever devised by human skill, ability, genius, and philosophy, fall by violence, it will be no hand of hers that strikes the accursed blow. I say the blow accursed, for under no circumstances can I regard the destruction of this Union as excusable, much less as justifiable; for with it will perish the hope and the cause of civil and religious liberty on this continent; and, instead of being an empire, grand, powerful, and magnificent, we will become a number of dissevered States, enfeebled, discordant, and belligerent, whose destiny may be read in the history of those rival States and Governments in the countries south of us, which have endured for a time, and then expired; flashing up for a period, and then falling back into darkness and gloom forever.

The Constitution is a sacred covenant entered into by our fathers "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity;" and it must be maintained and kept in its letter and its spirit, in each and every particular—aye, even as regards that "peculiar institution" which is now making so much trouble in the world. Should attempts be made to interfere with this, where it exists in the several States, under their laws, either by wild fanatics, whose brains may have been roasted by a bare-headed exposure to the suns of Kansas, or in the shape of servile insurrections within, or by assaults and violence from without, the people of my State, if need be, will stand by their brethren of the South, side by side, and shoulder to shoulder, as our fathers did

of old, in the times of fiery trial, when their blood ran together on the same battle plain—when they put forth a common shout for victories achieved, and mingled in a common sorrow at defeats sustained.

But the question is not whether slavery or involuntary servitude shall be abolished in the States where it exists by law, against the wishes of the people of those States—no one seriously pretends this, save an inconsiderable few, who hate the Union anyhow—but whether it shall be carried into the Territories belonging to the United States.

The question now is, whether these broad public domains are to be the home of free labor, with its thrift and enterprise; its trades and handicrafts; its industry and progress; its busy marts and commerce; its shops, its mills, and factories; its schools, its colleges, and churches; its fields of luxuriant grasses; its flocks and lowing herds; its golden harvests, resounding with its happy reapers' song; or whether they are to be the home of slavery, with its wealthy few, its landless masses; its worn-out, impoverished soils; its waste and dilapidation; its negro huts and "quarters;" and, it may be, its sigh of sorrow, and its cry of pain.

The practical question, in fact, is, whether these Territories are to remain open to all the free white citizens of this Union, native or adopted, for homes and firesides for themselves, their children, and descendants; or whether they are to be closed up, and forever barred against them, by the introduction of African slavery. For, although I do not consider these two different systems of labor so incompatible as that of necessity they must impinge, the one upon the other, so that they cannot continue to exist in different sections of this Union, as they have existed for the last half century or more, still it is certain that they cannot both exist and flourish together in the same immediate district, in the same place, on the same plantation, in the same field, or in the same workshop. I say *African* slavery, for I understand it to be conceded, by at least a portion of the friends of this system, that, unless a further supply of this kind of labor can be obtained from other sources than from the States themselves, there is now, practically, an end to the matter, so far as the Territories are concerned.

Mr. President, slavery, where it exists in the several States, under their laws, must not be interfered with; but when it is attempted to introduce it into Territories which, since the morning of creation, have been as free as the wild deer bounding over their prairies, it must be calmly, constitutionally, yet firmly and forever, resisted. Why?

In a country so extensive as ours, running through so many degrees of latitude, embracing such a variety of climate, and furnishing every kind and species of production—the South having its sugar, cotton, and tobacco; the Middle and Western States, their agriculture, mines,

and manufactories; the East, also its manufactories, fisheries, and commerce—there must, of necessity, be a great diversity of pursuits and interests; and although, as legislators, we should have regard for the general welfare of the whole; still, we are not to be altogether unmindful of home and its concerns. By the operation of the three-fifths rule, as applied to the right of representation in Congress, one portion of this Union now enjoys a larger representation in the House of Representatives than they would otherwise be entitled to. We will stand by the bargain, as made by our fathers. It was a hard one, but it was made upon a compromise; we will maintain it, as far as it extends. But, I say it in kindness, we will oppose its further extension and increase, as being injurious and unjust to us.

But, Mr. President, it is said that the Constitution of its own force and vigor carries slavery into all the Territories which have been acquired since the period of its adoption. If this be so, then there is an end of the matter. But does it do so? It nowhere does so by express letter. It does not do so by necessary implication. It was not the understanding of its framers, or meant and intended at the time that it should do so. In order properly to understand this, we must cast our minds back to the time of the formation of the Constitution. We had just emerged from a struggle for existence, followed by a feeble Confederacy; the idea of acquiring new territory never entered into the head of any one at that time; the public sentiment was *existence*, not *extension*. The settled portion of the States constituted only a small strip on the Atlantic ocean, and all between that and the Mississippi river was a vast wilderness, which it was supposed ages would require to fill up and people. That was not, like ours, a day of rapid progress. The use of steam, as applicable to motive power on land and water, had not then been discovered. The magnetic telegraph had not sent its fiery sparks to every corner of the land. Indeed, so little were the Territories lying actually within the limits of the Union then regarded, that no allusion to them whatever was made in the Articles of Confederation, framed only ten years before. And we all know that when the Territory of Orleans was acquired by purchase from France, in 1803, Mr. Jefferson, who was the chief negotiator of the treaty, was of opinion that there was no constitutional provision authorizing it, and recommended his friends in Congress to say as little on the subject of its constitutionality as possible, stating that the difficulty could be cured by an amendment to the Constitution. Sir, the Constitution was not framed with a view to any such purpose.

I have thought that a strange doctrine advanced in a recent celebrated decision, which holds, that that provision of the Constitution which gives the power to Congress "to make all needful rules and regulations respecting

the territory of the United States," does not apply to such territory as has been acquired since the Constitution was framed; and yet that it carries slavery into those newly-acquired Territories, without one word being contained therein referring to such territory, or the acquisition of any such having been even contemplated at the time.

But, sir, I do not intend, at this time, to enter into a legal argument on this subject. Certain it is, that at that day the extension of slavery was not desired or contemplated. It was regarded on all sides as an evil—an evil that had in part, been forced upon the colonies by the British Crown, against the wishes of some of them, the King sometimes vetoing the acts of the Colonial Legislatures intended to prohibit it. The fathers of the Republic so regarded it—Southern as well as Northern statesmen—the Washingtons, the Jeffersons, the Madisons, and the Monroes, as well as the Adams's, the Danes, and their compeers. To cite no others, Mr. Jefferson, in his Notes on Virginia, writing on this subject, says:

"I tremble for my country when I reflect that God is just; that His justice cannot sleep forever; that, considering numbers, nature, and natural means only, a revolution of the wheel of fortune, an exchange of situation, is among possible events; that it may become probable by supernatural interference! The Almighty has no attribute which can take side with us in such a contest."

On another occasion he said:

"The abolition of domestic slavery is the great object of desire in these colonies, where it was unhappily introduced in their infant state. But previous to the enfranchisement of the slaves, it is necessary to exclude further importations from Africa. Yet our repeated attempts to effect this by prohibitions, and by imposing duties which might amount to prohibition, have been hitherto defeated by his Majesty's negative."

Listen to what the Father of his Country thought. In his celebrated letter to General Lafayette, General Washington said:

"I agree with you cordially in your views in regard to negro slavery. I have long considered it a most serious evil, both socially and politically, and I should rejoice in any feasible scheme to rid our States of such a burden. The Congress of 1787 adopted an ordinance which prohibits the existence of involuntary servitude in our Northwestern Territory forever. I consider it a wise measure. It met with the approval and assent of nearly every member from the States more immediately interested in slave labor. The prevailing opinion in Virginia is against the spread of slavery in our new Territories, AND I TRUST WE SHALL HAVE A CONFEDERACY OF FREE STATES."

How explicit and emphatic!

And yet, it is now said Washington was in error; that he did not understand the nature of this institution; that if he had lived in this our day he would have entertained different views and advanced different opinions in relation to it. Sir, this falls strangely on our ears. The Father of his Country has left the footprints of his heroism on our soil, and his doctrines and his teachings have sunk deep into our hearts. Others may do as they choose; even they who have more particularly the custody of his fame, and even his sacred bones in their keeping; but as for us, we will never banish from our hearts this object of our veneration and affection.

Sir, slavery was then regarded as an evil. Uniform testimony was borne to that; but it was an evil that had become so interwoven with our political and social systems, that it could not be eradicated at once; it could not be destroyed by violence, without leaving the body politic mangled and bleeding. It was a sort of cancerous malady, that could not be torn out by the roots, but had to be left to the several States within whose borders it existed—and it existed in almost all of them—to be managed and regulated by themselves, at their own time and in their own way, either by the use of the knife, lopping it off at once, or by the aid of emollients, by which, in time, it might be cured and dissipated. We had the institution at that time in the State of New Jersey; and it was not until our act of 1820, by which it was provided that all children born of slaves subsequent to the year 1804 should be held as servants—females until they attained the age of twenty-one, and males until they arrived to the age of twenty-five—that we became, in a measure, relieved of this system. In 1850, at the time of the last general census, there were about three hundred and thirty slaves in the State; and at this day I suppose there are not more than a score; some still existing, born prior to the act of 1804, which did not apply to them, and who are now too old to be manumitted by our general acts of manumission. But death is fast manumitting them all; and, in the course of a few years, there will not be a single person of this description on our soil. We have had the institution, and I am not disposed to arraign or assail either the representatives or the people of other States who have not been so fortunate as we have been in getting rid of it. Sir, it was hoped and confidently expected, at the time we passed our law, that the other States of this Union would also enact laws, as many of them did, by which this institution and this system would be gradually abolished and done away with; and I believe, had it not been, in part, for the unwarrantable interference of persons in sections where they had no right to interfere, but mainly owing to the increased value of cotton, and the consequent rise in the price of negroes, many a man who is now held in bonds would have been walking boldly forth, by the consent of his master, on the high road to freedom.

But, Mr. President, there is other and contemporaneous evidence, that this kind of servitude was then regarded as an evil, and not to be extended.

Sir, at the time of the framing of the Constitution, all the territory conceded to belong to the United States was free—I believe every foot of it.

In 1787, the very year the Constitution was framed, on the 13th of July, Congress passed the famous ordinance, by which all the territory northwest of the Ohio was dedicated to freedom forever; out of which have arisen a

family of States, which, for progress, wealth, and civilization, are unparalleled in the history of the world! Young giants, before whose majestic step the wilderness has fled away, like the shadows of night before the rushing, rising morn. I am aware, sir, that there were other vacant unpatented lands, within the chartered limits of several of the Southern States, lying south of the Ohio; but these had not been as yet ceded to the Government of the Union, and were claimed by the States within whose borders they were.

This territory had been ceded to the United States by Virginia, herself a slave State, with this understanding by her statesmen, who, according to the testimony of General Washington, were opposed to the spread of slavery in the Territories. Mr. Jefferson himself had drawn the first plan of an ordinance for this purpose, and both Northern and Southern men approved of it.

Sir, it was in accordance with the tone, the temper, and spirit of the times. It was in accordance with the principles of the Declaration of Independence, although that sacred instrument has recently been called a mere string of “glittering generalities.” It was in accordance with the principles on which the struggle for freedom, during a seven years’ war, had been conducted. It was in accordance with the public sentiment and feeling at the time, and everywhere.

I have said it was in accordance with the tone, the temper, and spirit of the times. The Constitution was framed in the very face of this ordinance. It was passed on the 13th of July, 1787, by the Congress of the Confederation, sitting in New York. The Convention to frame the Constitution was sitting in Philadelphia at that very time. Many of the leading members of that Congress were also members of the Convention. Did the passage of this ordinance create any such excitement as we witness nowadays? Did the Convention disband, or break up in a row? Were there any thunder tones then uttered, such as we now hear in the distance, or even muttering over our heads? Was the feeble ligament of the Confederation, which already held the thirteen original States, like so many stars fixed in their places, broken and destroyed; and were they sent glaring forth, like comets, rushing madly and wildly? No! nothing of the sort. The Convention sat on. It finished its labors on the 17th of September following. The next year, the work was submitted to the people of the several States for ratification and adoption, and the following year the new Government swung into its orbit; and one of the very first acts of the new Congress, under the Constitution, was to reaffirm this ordinance of 1787, by altering its provisions, so as to make it conform to the new order of affairs.

But it has been said, and I believe has been repeated here to-day, that the doctrines held by

the Republicans are different from those held by our fathers; that they are sectional. Why, sir, they were not sectional in 1787. They were then avowed both North and South. It is said that they are modern. Sir, they are older than the sacred charter of our liberties itself. The same doctrine that we contend for this day is the doctrine that Jefferson and his compeers contended for, which they have placed upon record in the ordinance of 1787; and from that day to this, the State from which I come has held this doctrine. It is the same which was promulgated by the great Commoner, Henry Clay, when he declared that no power on earth could induce him to plant slavery in any Territory which then was free.

Sir, it was not until after this, not until new Territories came to be acquired, that a change came over the spirit of our dream. But the North has never changed. It holds the same position now that it held then; such as I trust it ever will maintain.

Before leaving this subject, I beg leave to call the attention of the Senate to certain resolutions, passed in the State of New Jersey in 1849—some seven years before the new Republican party, as such, sprang, fully equipped and fully armed, into the field—for the purpose of showing that this doctrine was then enunciated. And I will say in advance, that these joint resolutions were passed by a Whig Legislature, several Democrats voting for them; and they were approved by a Democratic Governor, who now occupies a distinguished position upon the bench of our Supreme Court. The resolutions which passed our State in 1849 are as follows:

“Resolutions against the extension of slavery into free Territory, and the traffic in slaves in the District of Columbia.”

“Whereas this Legislature, representing the views and opinions of the people of New Jersey, believing the institution of human slavery to be a great moral and political evil, and, if unrestrained by the General Government, is calculated to sap the foundation of our social and political institutions: Therefore,

“Resolved by the Senate and General Assembly of the State of New Jersey, That while we would refrain from all manner of interference in the institution of slavery in the States where it constitutionally exists, yet we would peaceably but firmly resist, by all constitutional means, its further extension.”

“2. Resolved, That our Senators and Representatives in the Congress of the United States be, and they are hereby, respectfully requested to use their most strenuous efforts to secure, in any law that may be passed for the establishment of State or Territorial Governments, within the bounds of our newly acquired Territory of New Mexico and California, a fundamental condition, or provision, that slavery, or involuntary servitude, except as a punishment for crime, shall be forever excluded from the said Territory.”

“3. Resolved, That the existence of the traffic in slaves in the District of Columbia is inconsistent with the theory of our national institutions, and a reproach to us as a people, and ought, in the opinion of this Legislature, to be speedily abolished; and that our Senators and Representatives be requested to use their influence in favor of this desirable object.”

“4. Resolved, That his Excellency the Governor of this State be, and he is hereby, respectfully requested to transmit certified copies of the foregoing resolutions to each of our Senators and Representatives in the Congress of the United States from this State, with a request that they be laid before the bodies to which they respectively belong.”

“Approved March 2, 1849.”

This occurred the year before the act of Con-

gress was passed abolishing the traffic in slaves in the District of Columbia—a year before the institution of those measures usually denominated the compromise measures of 1850.

Before resuming my seat, I wish to say a few words on the subject of the fugitive slave law. That subject is embraced within the scope of the resolutions which have been submitted by the honorable Senator from Mississippi, [Mr. DAVIS.] In New Jersey, we have always regarded the act of Congress passed in 1793, respecting the rendition of fugitive slaves, as obligatory upon us. No grave doubt about its constitutionality has ever been raised or agitated there. I recollect that many years ago, a quarter of a century at least, a case occurred which was referred to some two weeks since by the honorable Senator from Ohio, [Mr. WADE,] in a speech made by him. He referred to a case that had been decided by Chief Justice Hornblower, of our State; and I understood him to say that his recollection of that case was, that Chief Justice Hornblower had held this act to be unconstitutional. The case occurred before the chief justice at chambers, on *habeas corpus*. There has been no report of it. It occurred about the time I came to the bar; and my recollection is, that the chief justice decided the cause and set the fugitive at liberty, on the ground of defective evidence in support of the claim; but, in giving his opinion, he may have thrown out some ideas of his own with respect to the unconstitutionality of the act; but I cannot say now how that was.

Aside from that, however, there has never, so far as I know, been any question raised in our State with respect to the constitutionality of that law. We have always acknowledged the binding force of that provision of the Constitution which declares that “no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.” Why? For the reason that it was one of the terms of the compact or agreement on which the Union was framed. This was the understanding at the time; and this is what its framers meant and intended, let its language be what it may. The Constitution of the United States was not a mere contract entered into between two sharp dealers, so framed and contrived as that one party might get the advantage of the other upon a technical construction; but it was a broad, fundamental frame of Government, entered into by high-toned, patriotic men, for the purpose of settling a Government for themselves and their posterity; and it is to be construed and interpreted according to the way and in the manner in which they meant and intended that it should be done.

I believe that the States, as such, are not bound to furnish the means of enforcing this

provision of the Constitution by the agency of their own *officers* and *tribunals*; but they are as clearly bound to surrender up fugitives from labor, when so adjudged, as they are prohibited by this provision from discharging them from labor due in the State from which they may have escaped; and I think it also clear that the people of the several States, upon whom the Federal Government, within the scope of its authority, acts individually and directly, are bound to assist in the enforcement of its authority, whenever called upon in due form of law. For instance, if a marshal should be resisted in making an arrest, and in the proper execution of this law should call on a citizen, a bystander, for aid, it would become his duty, however disagreeable or unpleasant it might be, as one of the *posse comitatus*, to assist in the enforcement of it.

Slavery, at the time of the adoption of the Constitution, existed in most of the States of this Union—nearly all. No such provision as the one referred to existed in the Articles of Confederation, and it was felt to be a grievous inconvenience by the slaveholding States. In several of the States, no aid whatever was allowed to the owners, and sometimes open resistance was made to the recovery of such fugitives. This provision, then, had a meaning, and was intended to meet the difficulty, and put an end to the complaint. The South insisted on it; the Eastern and Middle States agreed to it; and in the State which I have the honor in part to represent, we have acknowledged its obligation and force. The concession was made, and we will abide by and adhere to it. Let our Southern brethren not forget that it was made with some sacrifice of feeling, and for their benefit and advantage.

Under this provision of the Constitution and the act of Congress of 1793, fugitives from labor have been surrendered up in our State to the party to whom their labor was due. We have always "kept the bond." It was a covenant, with many others, made understandingly, made on a compromise, made to form a more perfect union, and to escape from the debility, antagonism, and ruin, of the wretched and feeble Government of the Confederation, under which all the trials and all the glories of the Revolution were in danger of being lost forever.

But we hold, with others, that if a doubt about the constitutionality of this act of Congress could be raised, it is now too late to raise it; it has been settled by repeated decisions of the courts and the practice of the Government for many years, and so it must and ought to stand. But, sir, this is not all; I wish to say something on the subject of the action of the State which I have the honor in part to represent. In 1836, the Legislature of New Jersey, under its power to pass regulations of police, passed an act concerning fugitive slaves. It was re-enacted in the revision of 1846. This act is now in force. I have it before me, and

I beg leave to refer to a few of its most important sections, for the purpose of showing what the nature of this statute is.

The first section authorizes the arrest of the fugitive on a warrant to be issued by a judge of the common pleas or a justice of the peace, on application of a claimant, his agent, or attorney, accompanied by an affidavit that the fugitive has escaped from service, and stating the claimant's title to the service of such fugitive.

By another section, it is required that the sheriff or constable receiving and executing such warrant shall, without unnecessary delay, carry the person arrested before the judge, according to the exigency of the warrant; and it is further enacted, that any sheriff or constable who shall refuse or wilfully neglect so to do, shall be liable to a fine not exceeding \$500, or imprisonment for a term not exceeding six months.

By another section, it is provided that the hearing of the case shall be before the judge issuing the warrant, and two other judges called by him to his assistance, unless either party shall demand a trial by jury, when a venire is to be issued by the judge, directed to the sheriff of the county, to summon a jury of twelve men, who shall pass upon the claim.

By another section, it is provided that if the judge shall authorize the removal of a fugitive without the title of the claimant being first decided upon in his favor, he shall be subject to a fine not exceeding \$500, or imprisonment not exceeding two years; and any judge refusing to perform any of the duties required by the act shall be liable to pay a sum not exceeding \$500. And the act creates other fines and penalties for arresting a person as such fugitive without a warrant or other legal authority for the purpose, under some act of the Legislature, or of the Congress of the United States.

I am familiar with several cases that have occurred in the State of New Jersey, where slaves have been delivered up under the act of the Legislature of our own State, upon proceedings had before county judges. The last case that I recollect to have occurred was the case of three fugitives claimed by Mr. John Roth, I think of Cecil county, Maryland. Mr. Roth applied to the tribunal furnished by our State laws—not to the tribunal furnished by the act of Congress. The case was tried before a jury, a majority of whom were composed of men acting with the same political party to which I at that time belonged, and which I believe I hold the principles of at this time—the old Whig party. The jury rendered a verdict in favor of the claimant, and Mr. Roth took his fugitives out of the State without difficulty, and without interruption. Nay, more: the Representative from the second Congressional district of my State, now in Congress, [Hon. JOHN L. N. STRATTON,] was the attorney of the claimant on that occasion, and prosecuted the case with promptness, fairness,

and fidelity. During the late canvass which took place, and resulted in his election, it was made a point against him by his political opponents, that he had been engaged in a trial that "had sent three fellow-beings back to the land of bondage." And what was the result? Why, that in the county of Burlington, where he lives, he received a majority of near eighteen hundred votes over his competitor—nearly eight hundred majority more than any other man since my recollection has ever before received in that county, in either a national, State, or county election. Sir, the people of his district, although they are not in favor of this institution, are still in favor of executing the laws, and will maintain and support them. I do not pretend to say that my friend in the other branch of Congress had his majority increased in consequence of the part he took in the prosecution of that claim; but I do mean to assert that in his district it did not cost him a single vote; and yet there is not a man in that district, who, so far as he himself is personally concerned, would have any part or lot in the holding of a man as a chattel, or as property in any way.

Before taking my seat, I will, in this connection, refer to another statute of our State. It is to be found in *Nixon's Digest*, and is as follows:

"It shall be lawful for any person, not an inhabitant of this State, who shall be travelling to or from or passing through this State, or coming into this State from any other of the United States, and having a temporary residence in this State, to bring with him or her any slave or servant, and on removal, or leaving this State, to take such slave or servant out of this State: *Provided*, That the number of

such slaves or servants shall not exceed the usual number of personal or household slaves or servants kept and maintained by said traveller or temporary resident."

Now, I refer to these matters and statutes, in the hearing of Senators from the different States of this Union, to show that we have kept our part of the covenant, and to ask them to keep theirs—not to violate it; not to extend or attempt to extend it to matters and things and places where it does not belong, and was not meant to apply.

Sir, the people of that State, as well as the people of the Middle and Western States generally, are opposed to all extravagance and all ultraism. They are opposed to all extremes. They will stand as a rock to beat back and repel every wave of fanaticism, whether it comes surging down in power from the North, or lashing up in fury from the South. But, sir, they would prefer, far prefer, standing as friends upon the fields of Monmouth, Trenton, Germantown, and Brandywine, and reaching forth their arms to their brethren of Bunker Hill, Saratoga, and Concord, on the one hand, and to their brethren of Yorktown, Guilford Courthouse, and King's Mountain, on the other; beg them to cease their threatening menaces; beg them to cease their crimination and recrimination; beg them to cease their unholy fraternal strife; beg them to stand by the compromises of the Constitution; beg them to join their hands once more in a long, lasting, and fraternal clasp; beg them to do this for the Union—for the sake of that Union upon which our truest, noblest destiny on earth depends.

PRESIDENTIAL CAMPAIGN OF 1860.

REPUBLICAN EXECUTIVE CONGRESSIONAL COMMITTEE.

HON. PRESTON KING, N. Y., *Chairman.*

" J. W. GRIMES, IOWA.

" L. F. S. FOSTER, CONN.

On the part of the Senate.

" E. B. WASHBURNE, ILLINOIS.

HON. JOHN COVODE, PENN., *Treasurer.*

" E. G. SPAULDING, N. Y.

" J. B. ALLEY, MASS.

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